

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America

v.

James Mwangangi KIILU

Sadir Arvizu VELAZUEZ

Sadir Arvizu BARCENAS

Case No.

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 11/09/2022 in the county of Webb in the
Southern District of Texas, the defendant(s) violated:

*Code Section**Offense Description*

18 USC 933

It shall be unlawful for any person to ship, transport, transfer, cause to be transported, or otherwise dispose of any firearm to another person in or otherwise affecting commerce, if such person knows or has reasonable cause to believe that the use, carrying, or possession of a firearm by the recipient would constitute a felony as defined in section 932(a) or attempt or conspire to commit the conduct.

18 USC 554

Whoever fraudulently or knowingly attempts to export or send from the U.S., any merchandise, article or object contrary to any law or regulation of the U.S

This criminal complaint is based on these facts:

See Attachment A

☒ Continued on the attached sheet./s/ Priscilla Almaraz*Complainant's signature*Special Agent Priscilla Almaraz*Printed name and title*

Sworn to before me and signed in my presence.

Date: _____

*Judge's signature*City and state: Laredo, TexasDiana Song Quiroga, U.S. Magistrate Judge*Printed name and title*

ATTACHMENT A

On November 9, 2022, Special Agents (SA) from the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) Laredo Field Office received information about an individual later identified as James Mwangangi KIILU who was purchasing four (4) pistols; two (2) pairs of the same make and model, with cash, and identification that indicated KIILU resided out of town. KIILU was purchasing the firearms at a local Federal Firearm Licensee (FFL), located on the 5700 block of San Bernardo Ave, in Laredo, Texas.

ATF SAs set up surveillance at the FFL and acquired the ATF Forms 4473 that KIILU just completed for the firearms purchase. ATF agents learned that KIILU purchased two Taurus Armas, model G3C, 9mm pistols with serial numbers ADH624018 and ADG465174, and two SCCY Industries, model CPX-2, 9mm pistols with serial numbers C439755 and C443746.

KIILU exited the FFL and entered a black Mitsubishi vehicle bearing Pennsylvania license plates with the firearms, and travel to a hotel parking lot located on 3600 block of Santa Ursula Ave. ATF SAs observed KILLU meet with a male subject, later identified as Sadir Arvizu BARCENAS. KILLU and BARCENAS then entered room 228 of the hotel together with the firearms. Minutes later, ATF SAs saw another male subject, later identified as Sadir Arvizu VELAZQUEZ enter room 228.

VELAZQUEZ then exited the room with the empty firearm boxes in this hand, place the boxes in an exterior trash can, and return to the hotel room. ATF SAs recovered the contents from the trash can, which were boxes of firearms with serial numbers written on them. The serial numbers on the boxes matched the serial numbers on the four (4) firearms KIILU recently purchased.

VELAZQUEZ exited the room and loaded multiple suitcases into a Chevrolet Spark with Mexico license plates. KIILU exited the hotel room, empty handed, and entered the Mitsubishi vehicle, and VELAZQUEZ and BARCENAS both entered the Chevrolet Spark. ATF SAs conducted mobile surveillance on both vehicles as they exited the parking lot with KIILU traveling North on Interstate Highway 35 (IH-35), while VELAZQUEZ and BARCENAS traveled South on IH-35.

ATF SAs coordinated with officers from the Laredo Police Department who conducted traffic stops based on their own probable cause of traffic violations committed by each vehicle respectively. LPD conducted a traffic stop on the Mitsubishi on IH-35 North near mile marker 4. LPD Officers detained KIILU and transported him to the ATF field office for further investigation.

Laredo Police Officers conducted a vehicle stop on the Chevrolet Spark on IH-35 South near the US/Mexico Port of Entry. LPD Officers received consent from VELAZQUEZ, the driver, to search the Chevrolet Spark. LPD Officers discovered a hidden compartment inside the vehicle that contained a total of twenty-one (21) firearms. VELASQEZ and BARCENAS were transported to the ATF office for further investigation.

During KIILU's interview, KILLU told agents that he met VELAZQUEZ and BARCENAS in Dallas, TX. KIILU stated that BARCENAS recruited him to purchase firearms for him and his father (VELAZQUEZ). KIILU said they offered to pay him \$150 per firearm. KIILU showed ATF SAs messages between him and BARCENAS where they coordinate to purchase firearms at different FFLs in Dallas and San Antonio, Texas. KIILU stated that he knew BARCENAS, and VELAZQUEZ were Mexican Nationals and could not purchase firearms. KIILU also revealed during the interview that he was aware the firearms were destined for Mexico.

During VELAZQUEZ's interview, VELAZQUEZ told agents that he and his son BARCENAS flew from Mexico City, Mexico to Dallas, Texas with the intention to recruit someone to straw purchase firearms for them. VELAZQUEZ stated that he crossed into the United States with approximately \$150,000 Mexican Pesos and converted the money to approximately \$7,500.00 US currency. VELAZQUEZ stated that his son BARCENAS recruited KIILU to purchase firearms since he and BARCENAS cannot purchase firearms.

During BARCENAS's interview, BARCENAS stated that he and his father (VELAZQUEZ) flew to Dallas, TX with the intention of purchasing firearms to take back to Mexico where they live. BARCENAS stated that there they met KIILU who was their Uber driver. BARCENAS said he befriended KIILU on Instagram and there he asked him to purchase firearms for him and VELAZQUEZ. BARCENAS stated that he told KIILU that VELAZQUEZ would pay him for each firearm he purchased for them. BARCENAS stated KIILU agreed.

The following 21 firearms were located inside the hidden compartment inside the Chevy Spark: Five (5) Taurus, model G3, 9mm caliber, serial numbers: ADG45824, ACH192816, ADH624018, ADG465174, and ADA837081; four (4) Taurus, model G2C, 9mm caliber, serial numbers: ACM696063, ADD190251, ABY908857, ADD207715; two (2) Ruger, model LCP, .380 Auto caliber, serial numbers: 379094299, 379091965; two (2) Ruger, model EC9s, 9mm caliber, serial numbers: 46210924, 46228654; four (4) SCCY, model CPX-2, 9mm caliber, serial numbers: C184369, C267382, C439755, C443746; one (1) SCCY, model CPX-1, 9mm caliber, serial number C199179; two (2) Smith & Wesson, model SD9VE, 9mm caliber, serial numbers: FDM9151, FDT2741; lastly one (1) Mossberg, model MC2c, 9mm caliber, serial number 000331MC.